

REMARKS

Applicant would like to thank the Examiner for the allowance of claims 10, 16-18, and 20. Claims 1-9, 11-13, 19, and 21-22 have been canceled to advance prosecution. Applicant reserves the right to pursue the subject matter of the canceled claims in future applications.

The only remaining issue is the rejection of claim 14.

Claims Rejections - §112 2nd paragraph

Claim 14 is rejected under 35 U.S.C. § 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 15 is rejected as dependent upon a rejected claim.

The Office Action inquires how many concentrations can the analyte have with respect to the phrase “a concentration of an analyte.” In particular, the Examiner believes that confusion arises to whether there is one or more concentrations of the analyte since the redox species appears to be the analyte (preamble of claim 10). As a further explanation, the Examiner states, “In other words, the distinction between ‘analyte’ and ‘redox species’ [in claim 14] is not clear.”

The claim 10 preamble refers to a redox species and the body of the claim refers to the amount or concentration of the redox species. Then, in dependent claim 14, the redox species is further defined as a mediator. The concentration of a reduced or oxidized form of this mediator is indicative of a concentration of an analyte. Dependent claim 15 defines the analyte as glucose.

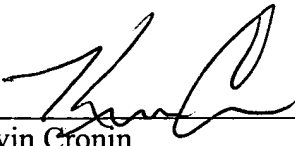
Claim 14 refers to both a redox species and an analyte. Since each of these substances can have a concentration, claim language referring to two concentrations is not indefinite. Applicant therefore respectfully requests withdrawal of the rejection of claims 14 and 15.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejections of the claims and to pass this application to issue. However, should any outstanding issues remain, Applicant asks that the Examiner please contact the undersigned Attorney for Applicant.

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Respectfully submitted,

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